

EXHIBIT C

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10 Attorneys for Defendant
11 TESLA, INC. DBA TESLA MOTORS, INC.

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 DEMETRIC DI-AZ, OWEN DIAZ and
15 LAMAR PATTERSON, an individual,

16 Plaintiffs,

17 vs.

18 TESLA, INC. DBA TESLA MOTORS,
19 INC.; CITISTAFF SOLUTIONS, INC.;
20 WEST VALLEY STAFFING GROUP;
21 CHARTWELL STAFFING SERVICES,
22 INC. and DOES 1-10, inclusive ,

23 Defendants.

Case No. 3:17-cv-06748-WHO

**DEFENDANT TESLA, INC. DBA
TESLA MOTORS, INC.'S RESPONSE
TO PLAINTIFF OWEN DIAZ'S
REQUEST FOR PRODUCTION OF
DOCUMENTS – SET ONE**

24 PROPOUNDING PARTY: Plaintiff, OWEN DI-AZ

25 RESPONDING PARTY: Defendant, TESLA, INC. DBA TESLA MOTORS,
26 INC.

27 SET NO.: One
28

1 result of any complaint(s) made by any TESLA employee, contractor and/or agent
2 about the use of the terms "Nigger" or "Nigga" at the TESLA FACTORY.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

4 Defendant objects to this request on the grounds that it is overbroad,
5 ambiguous, vague and uncertain with regard to the phrase "all DOCUMENTS
6 RELATING TO any discipline imposed as a result of any complaint(s) made by any
7 TESLA employee, contractor and/or agent about the use of the terms 'Nigger' or
8 'Nigga' at the TESLA FACTORY." Defendant further objects to this request to the
9 extent that it seeks information not relevant to any party's claims or defenses nor
10 proportional to the needs of this case. Defendant further objects to this request on the
11 grounds that it is burdensome, oppressive, and harassing to the extent that it seeks
12 information and documents "RELATING TO" other documents. Defendant further
13 objects to this request to the extent that it seeks documents and information pertaining
14 to employees or former employees of Defendant and thereby seeks to invade privacy
15 rights established by the California Constitution. Defendant further objects on the
16 grounds it seeks information or documents that are protected by the attorney-client
17 privilege and/or by the attorney work product doctrine. Defendant further objects to
18 this request on the grounds that it is burdensome and harassing in that it is overbroad
19 and vague and ambiguous as to time and not limited to Plaintiff or the specific
20 department(s) Plaintiff temporarily worked in.

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22 **REQUEST FOR PRODUCTION NO. 21:**

23 Please produce all DOCUMENTS detailing complaints of harassment based on
24 race or color against any TESLA employee at the TESLA FACTORY since 2010. (In
25 responding to this request, complaint refers to both employee filed with administrative
26 agencies and in court.)

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

1 Defendant objects to this request on the grounds that it is overbroad,
 2 ambiguous, vague and uncertain with regard to the phrase “all DOCUMENTS
 3 detailing complaints of harassment based on race or color against any TESLA
 4 employee at the TESLA FACTORY since 2010. (In responding to this request,
 5 complaint refers to both employee filed with administrative agencies and in court.).”
 6 Defendant further objects to this request to the extent that it seeks information not
 7 relevant to any party’s claims or defenses nor proportional to the needs of this case.
 8 Defendant further objects to this request to the extent that it seeks documents and
 9 information pertaining to employees or former employees of Defendant and thereby
 10 seeks to invade privacy rights established by the California Constitution. Defendant
 11 further objects on the grounds it seeks information or documents that are protected by
 12 the attorney-client privilege and/or by the attorney work product doctrine. Defendant
 13 further objects to this request on the grounds that it is burdensome and harassing in
 14 that it is overbroad as to time and not limited to Plaintiff or the specific department(s)
 15 Plaintiff temporarily worked in and it seeks information and documents that are
 16 equally available to Plaintiff through public court records.

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 18 **REQUEST FOR PRODUCTION NO. 22:**

19 Please produce the entire investigation files for any complaints of harassment
 20 based on race or color made against TESLA or its employees at the TESLA
 21 FACTORY since 2010. (In responding to this request, complaint refers to both
 22 employee complaints to TESLA and complaints filed with administrative agencies and
 23 in court.).

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

25 Defendant objects to this request on the grounds that it is overbroad,
 26 ambiguous, vague and uncertain with regard to the phrase “the entire investigation
 27 files for any complaints of harassment based on race or color made against TESLA or
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its employees at the TESLA FACTORY since 2010. (In responding to this request, complaint refers to both employee complaints to TESLA and complaints filed with administrative agencies and in court.).” Defendant further objects to this request to the extent that it seeks information not relevant to any party’s claims or defenses nor proportional to the needs of this case. Defendant further objects to this request to the extent that it seeks documents and information pertaining to employees or former employees of Defendant and thereby seeks to invade privacy rights established by the California Constitution. Defendant further objects on the grounds it seeks information or documents that are protected by the attorney-client privilege and/or by the attorney work product doctrine. Defendant further objects to this request on the grounds that it is burdensome and harassing in that it is overbroad as to time and not limited to Plaintiff or the specific department(s) Plaintiff temporarily worked in.

REQUEST FOR PRODUCTION NO. 23:

Please produce all race harassment or discrimination policies of TESLA in effect from 2010 to present.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Defendant objects to this request on the grounds that it is overbroad, ambiguous, vague and uncertain with regard to the phrase “all race harassment or discrimination policies of TESLA in effect from 2010 to present.” Defendant further objects to this request to the extent that it seeks information not relevant to any party’s claims or defenses nor proportional to the needs of this case. Defendant further objects to this request on the grounds that it is burdensome and harassing in that it is overbroad as to time. Defendant further objects to the extent that Plaintiff Owen Diaz was a temporary assignment To Tesla and not all Tesla policies applied to him accordingly. Subject to and without waiving its objections and to the extent it is understood, and reasonably limiting its response to those documents that pertain to the claims or defenses in this case, Defendant responds: A diligent search and

1 seeks documents protected from disclosure by the attorney-client privilege and the
2 attorney work product doctrine.

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4 **REQUEST FOR PRODUCTION NO. 43:**

5 Please produce all DOCUMENTS that support any defense YOU have
6 pleaded or will plead in this action.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

8 Defendant objects to this request on the grounds that it is overbroad,
9 ambiguous, vague and uncertain with regard to the phrase “all DOCUMENTS that
10 support any defense YOU have pleaded or will plead in this action.” Defendant
11 further objects to this request on the grounds that it fails to comply with the
12 requirements of Rule 34(b)(1)(A) by describing the documents sought “with
13 reasonable particularity.” Defendant objects on the grounds that this request is
14 duplicative of request no. 41 and therefore burdensome and harassing. Defendant
15 further objects to this request to the extent that it seeks documents protected from
16 disclosure by the attorney-client privilege and the attorney work product doctrine.

17 Dated: June 4, 2018 CONSTANGY, BROOKS, SMITH & PROPHETE, LLP
18

19 By /s/ Barbara Antonucci

20 Barbara I. Antonucci

21 Aaron M. Rutschman

22 Attorneys for Defendant

23 TESLA INC., DBA TESLA MOTORS, INC.
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PROOF OF SERVICE

*U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:17-cv-06748-WHO*

I am over 18 years of age and not a party to the within entitled action. I am employed at the law firm of CONSTANGY, BROOKS, SMITH & PROPHETE LLP, and my business address is 2029 Century Park East, Suite 1100, Los Angeles, California 90067. On June 4, 2018, I served a copy of the following:

1. DEFENDANT TESLA, INC. D/B/A TESLA MOTORS, INC.'S RESPONSE TO PLAINTIFF OWEN DIAZ' REQUEST FOR PRODUCTION OF DOCUMENTS – SET ONE

on the attorney(s) for the parties to this action by the following method:

X (BY MAIL) By placing same, with postage fully prepared, in the United States Mail, addressed as indicated below. I am readily familiar with the practices of these law offices for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service in the same day in the ordinary course of business.

Lawrence Anthony Organ
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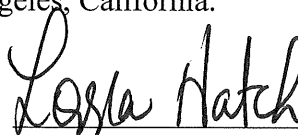
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*Attorneys for Defendant
WEST VALLEY STAFFING GROUP*

[FEDERAL] I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made, under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 4, 2018 at Los Angeles, California.


Lorna Hatch